

**Remarks/Arguments:**

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 1-17 are pending; no claims have been amended, added, or cancelled herewith.

In the outstanding Office Action, the Examiner indicated that the IDS filed April 24, 2003 was incomplete; Claims 1-5, 11, and 13 were rejected under 35 U.S.C. § 102(b) as anticipated by Granberg (U.S. Pat. No. 4,014,739); Claims 6, 7, and 14 were rejected under 35 U.S.C. § 102(b) as anticipated by Greve (U.S. Pat. No. 5,770,016); Claims 8 and 15 were rejected under 35 U.S.C. § 103(a) as unpatentable over Greve in view of Hatton (U.S. Pat. No. 2,105,593); and Claims 9, 10, 16, and 17 were rejected under 35 U.S.C. § 103(a) as unpatentable over Greve in view of Schlör et al. (U.S. Pat. No. 4,853,087, hereafter Schlör).

Applicants acknowledge with appreciation the indication that Claim 12 contains allowable subject matter. However, because no claims have been amended herewith, Claim 12 remains in dependent form.

With regard to the IDS filed April 24, 2003, Applicants respectfully submit that the PTO 1449 form was properly filed on April 24, 2003, and consideration of the references cited therein is respectfully requested. A copy of the papers as filed, including the date-stamped filing receipt is enclosed herewith.

Regarding the rejection of Claims 1-5, 11, and 13 under 35 U.S.C. §102(b) as anticipated by Granberg, that rejection is respectfully traversed.

As previously explained by the Applicants, when a mold with a net is used repeatedly producing pulp molded articles, pulp fiber adheres and accumulates on the net, which causes

unevenness in a thickness of a molded article, or may impair the appearance of the molded article. Thus, in the past, it has been necessary for the net to be removed and cleaned.

However, where a net is fixed to a paper molding part by welding, it is not easy to remove the net. When a net is fixed with wire or the like, removal is possible but very laborious.<sup>1</sup>

In light of these difficulties, the Applicants developed the paper making molds of the present invention. Claim 1 relates to a paper making mold including a paper making part of a prescribed sheet, and a net covering paper making part and at least part of a peripheral part of the paper making part, and a fixing member disposed on the periphery of the net. The fixing member is *directly attached* to the peripheral part to fix the net, according to Claim 1.

Granberg relates to a mold construction having a removable base member. According to Granberg, each of the molds includes a relatively rigid perforated base member that may have one or more screen members secured against the product forming surface, such that the pulp fibers are deposited on the screens.<sup>2</sup> The annular groove 42 of Granberg in the body member 36 is adapted to receive the peripheral marginal edges of the base member 18 and overlying springs 30 and 32 of the foraminous mold means 14.<sup>3</sup> The screens 30 and 32 of Granberg conform to the configuration of the base member 18, and therefore have marginal edge portions conforming to the annular depression 18a and the base member 18. The U-shaped groove 42 of the body member 36 of Granberg serves to provide an interlocking relation between body member 36 and the base member 18 and overlying screens 30 and 32, so as to releasably retain the base member and associated screen in support relation within the groove 42 and the frame support means 16.<sup>4</sup> As is evident from Figure 2 of Granberg,

---

<sup>1</sup> Specification, page 1, lines 12-17.

<sup>2</sup> Granberg, col. 1, lines 22-25.

<sup>3</sup> Id., at col. 4, lines 63-col. 5, line 3.

<sup>4</sup> Id., at col. 5, lines 5-26.

element 42b contacts the screen and then contacts the base 36. Therefore, it is evident that element 42b *does not directly connect* to the base.

In contrast to the argument set forth in the outstanding Office Action at page 8, the peripheral part of Granberg does not directly contact the base. While the Office Action indicates that the language “directly attached” is being given its broadest reasonable interpretation, Applicants respectfully submit that the interpretation set forth is not reasonable.

As explained in MPEP § 2111, “The broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach.” *In re Cortright*, 165 F.3d 1353, 1359, 49 U.S.P.Q.2d 1464, 1468 (Fed. Cir. 1999). One of ordinary skill in the art would clearly understand the term “directly attached” to mean that there are no intervening objects between the fixing member and the peripheral part. Such an interpretation of the term “directly attached” is supported by the illustrations in Figures 6a-6d. Therefore, an interpretation of “directly attached” that includes intervening elements would be contrary to the plain meaning of this term. Because the outstanding Office Action attempts to rely on a “close causal relationship,” rather than a direct attachment (as recited in Claim 1), it is respectfully submitted that the Office Action has not properly addressed the claimed limitations and has therefore not satisfied the burden of rejection.

Accordingly, as Granberg fails to disclose or suggest a fixing member directly connected to the peripheral part to fix the net, as recited in Claim 1, it is respectfully requested that the rejection of Claims 1-5 be withdrawn.

Similarly, Claim 11 recites that the first fixing member is directly detachably attached to the first paper making part. As earlier noted, Granberg fails to disclose or suggest direct attachment of the fixing member to the paper making part, so it is respectfully submitted that

Claim 11 patentably distinguish over Granberg. Claim 13, which depends from Claim 11, is also believed to patentably distinguish over Granberg for reasons analogous to those noted above. It is therefore respectfully requested that the rejection of Claims 11 and 13 be withdrawn.

With regard to the rejection of Claims 6, 7, and 14 under 35 U.S.C. § 102(b) as anticipated by Greve, that rejection is also traversed. Claim 6 recites a papermaking mold that includes a papermaking part having a prescribed shape, a peripheral part extending outward from the papermaking part, a flange, papermaking net covering the papermaking part and at least part of the peripheral part, where the part of the net that is covering the peripheral part is positioned so that the flange prevents the net from receiving a clamping force. Similarly, independent Claim 14 recites that the flange is positioned to receive a clamping force, thereby preventing the net from receiving the clamping force.

As previously noted by the Applicants, Greve is not in an analogous area of art. Specifically, Greve relates to forming a fiber reinforced plastic perform, and not to a pulp molded article.

Additionally, Applicants respectfully submit that Greve fails to disclose or suggest the flange recited in Claims 6 and 14. The Office Action attempts to equate the seal 18 of Greve with the flange recited in Claims 6 and 14. As illustrated in Figure 7 of Greve, for example, the screen 16 rests on the sealing member 18 which is placed in an aperture formed on the surface of the mask 14. However, there is no disclosure or suggestion that a flange, which is not accurately represented by the structure of the seal 18, prevents the screen 16 from receiving a clamping force. Any assertion that the sealing member 18 inherently acts as a flange that prevents the screen 16 from receiving a clamping force is simply not supported by the teachings of Greve.

Accordingly, as Greve fails to disclose or suggest the flange set forth in Claims 6 and 14, it is respectfully requested that the rejection of Claims 6, 7, and 14 be withdrawn.

With regard to the rejection of Claims 8 and 15 under 35 U.S.C. § 103(a) in view of Hatton, that rejection is also traversed, as the Office Action has failed to provide a *prima facie* case of obviousness.

As earlier explained, Greve fails to disclose or suggest the flange recited in independent Claims 6 and 14, from which Claims 8 and 15 depend. It is respectfully submitted that Hatton fails to remedy the above-noted defects of Greve.

Hatton relates to an apparatus for molding pulp bodies. Hatton describes that a wire mesh basket 20 is provided, shaped to contact the die face 11 of the lower die 10, having a metal band rim 21 supporting its upper edges, and having resilient hook members 22 attached to the rim. These hook members of Hatton are aligned with the apertures 28 in such a manner that the inner edge of each aperture 28 impinges on the inclined face 26 of the hook 22 when the plate is lowered, thereby forcing it outward as the hook moves through the aperture 28.<sup>5</sup> From this description, it is evident that the wire mesh basket of Hatton is attached to the body by hooks.

However, Hatton has no disclosure or suggestion of a flange that prevents the net from being subjected to clamping forces. Additionally, there is no recognition anywhere in the teachings of Hatton that such a flange would be useful in preventing damage to a net.

Consequently, as neither Greve nor Hatton discloses or suggests the flange recited in Claims 6 and 14, it is respectfully submitted that Claims 8 and 15, which depend from Claims 6 and 14, respectively, patentably distinguish over both Hatton and Greve, either alone or in combination. It is therefore respectfully requested that this rejection be withdrawn.

---

<sup>5</sup> Hatton, col. 2, lines 20-51.

Moreover, Applicants respectfully submit that there is no basis in the teachings of either Greve or Hatton to support the applied combination. As earlier noted, Greve is not in an analogous area of art. As set forth in MPEP § 2143.01, “The mere fact that references can be combined or modified does not render the resulting combination obvious unless the prior art also suggest the desirability of the combination.” (emphasis in original) *In re Mills*, 916 F.2d 680, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1990). Additionally, “A statement that modifications of the prior art to meet the claimed invention would have been ‘well within the ordinary skill of the art’ at the time the claimed invention was made’ because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to establish a *prima facie* case of obviousness without some objective reason to combine the teachings of the references.” (emphasis in original) *Ex parte Levengood*, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993).

In the present case, the Office Action has failed to cite any teachings within either of the references to provide the necessary motivation to support the applied combination. Additionally, Applicants respectfully submit that because Greve is not analogous art, one of ordinary skill in the pulp molding art would not have been motivated to combine the disclosure of Greve with the disclosure of Hatton. Accordingly, it is respectfully submitted that the combination of Greve and Hatton is based upon hindsight reconstruction, and is not permissible.

Regarding the rejection of Claims 9, 10, 16, and 17 under 35 U.S.C. § 103(a) over Greve in view of Schlör, that rejection is also traversed. Claims 9 and 10 depend from Claim 6, and Claims 16 and 17 depend from Claim 14.

As earlier explained, Greve fails to disclose or suggest in any way the flange recited in independent Claims 6 and 14. It is respectfully submitted that Schlör fails to remedy the defects above-identified with regard to Greve.

Schlör relates to a process and apparatus for producing a filter with multiple folds. However, Schlör discloses or suggests no type of net to be used in a filter making process. Therefore, in the absence of any teaching whatsoever regarding any type of net, Schlör necessarily fails to disclose or suggest a flange that prevents a net from receiving a clamping force.

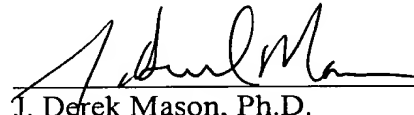
Consequently, as neither Greve nor Schlör, either alone or in combination, discloses or suggests the features recited in Claims 6 and 14, it is respectfully submitted that dependent Claims 9, 10, 16, and 17 patentably distinguish over both Greve and Schlör, either alone or in combination. It is therefore respectfully requested that this rejection be withdrawn.

Additionally, Applicants respectfully submit that the combination of Greve and Schlör is impermissibly based upon hindsight reconstruction. As set forth in MPEP § 2143.01, "Although a prior art device 'may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so.'" *In re Mills*, 916 F.2d 680, 682, 16 U.S.P.Q.2d 1430, 1432. Because Greve is not in an analogous area of art, and Schlör fails to disclose or suggest the use of any type of net, it is respectfully submitted that there is no suggestion or motivation in either reference to support the applied combination. Accordingly, it is respectfully submitted that the combination of Greve and Schlör is improperly based upon hindsight reconstruction.

Consequently, in view of the foregoing discussion, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



J. Derek Mason, Ph.D.

Attorney of Record

Registration No. 35,270

Katherine D. Pauley

Registration No. 50,607

Customer Number

**22850**

Tel: (703) 413-3000

Fax: (703) 413 -2220

JDM:KDP:wp:dmr

I:\ATTY\KDP\21'S\216009US\216009US-AM 9-26-03.DOC